

## OPINION 1009

VANIKORO QUOY AND GAIMARD, 1832  
(MOLLUSCA: GASTROPODA): MADE AVAILABLE  
UNDER THE PLENARY POWERS

**RULING.**—(1) Under the plenary powers it is hereby directed:

- (a) that the generic name *Vanikoro* Quoy & Gaimard, 1832, (type-species, by monotypy *Sigaretus cancellatus* Lamarck, 1822) is made available, to be treated as a latinized word from Quoy & Gaimard, 1832;
- (b) that the gender of the above generic name is feminine;
- (c) that the stem of the above generic name for the purposes of Article 29 is VANIKOR-;

- (d) that the following generic names are ruled unjustified emendations of *Vanikoro* Quoy & Gaimard, 1832: *Vanicoro* Gray, 1842; *Vanicora* Paetel, 1887, *Vanikora* Whitfield, 1891; *Vanikoroia* Martin, 1914; *Vanikoroa* Cossman, 1924.

(2) The generic name *Vanikoro* Quoy & Gaimard, 1832, made available under the plenary powers in (1) above (gender, as ruled under the plenary powers in (1) above, feminine), type-species, by monotypy, *Sigaretus cancellatus* Lamarck, 1822 is hereby placed on the Official List of Generic Names in Zoology with the Name Number 1991.

(3) The specific name *cancellatus* Lamarck, 1822, (as published in the binomen *Sigaretus cancellatus*) type-species, by monotypy, of *Vanikoro* Quoy & Gaimard, 1832) is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2515.

(4) The family-group name VANIKORIDAE Gray, 1840 (a justified emendation of VANCOROIDAE) (type-genus *Vanikoro* Quoy & Gaimard, 1832) is hereby placed on the Official List of Family-Group Names in Zoology with the Name Number 475.

(5) The following generic names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Numbers specified:

- (a) the five unjustified emendations of *Vanikoro* Quoy & Gaimard, 1832: *Vanicoro* Gray, 1842 (Name No. 2030); *Vanicora* Paetel, 1887 (Name No. 2031); *Vanikora* Whitfield, 1891 (Name No. 2032); *Vanikoroia* Martin, 1914 (Name No. 2033); *Vanikoroa* Cossman, 1924 (Name No. 2034);
- (b) the four objective synonyms of *Vanikoro* Quoy & Gaimard, 1832: *Merria* Gray, 1839(?) (Name No. 2035); *Leucotis* Swainson, 1840 (Name No. 2036); *Narica* d'Orbigny (ex Récluz MS), 1842(?) (Name No. 2037); *Nioma* Gray, 1842 (Name No. 2038);
- (c) the four unjustified emendations of names listed in (b) above: *Leucotis* G. B. Sowerby II, 1842 (Name No. 2039); *Niomia* Gray, 1842 (Name No. 2040); *Merrya* Récluz, 1846 (Name No. 2041); *Niona* Paetel, 1887 (Name No. 2042).

(6) The following Family-group names are hereby placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology:

- (a) VANICORIDAE Gray, 1840 (an incorrect original spelling in consequence of the ruling given under the plenary powers in (1)(c) above) (Name No. 467);
- (b) NARICIDAE Récluz, 1846 (Name No. 468) and (c) MERRIIDAE Hedley, 1917 (Name No. 469) based on objective junior synonyms of *Vanikoro* Quoy & Gaimard, 1832.

#### HISTORY OF THE CASE (Z.N.(S.) 1524)

The present case was submitted to the office of the Commission by Dr. Robert Robertson in March 1962. The application was sent to the printer on 9 March 1962 and was published on 10 September 1962 in *Bull. zool. Nomencl.* **19** : 332–336. The application was again published on 29 March 1971 in *Bull. zool. Nomencl.* **27** : 238–245, together with the comments received on the case and a revised set of proposals. In both instances public notice of the possible use of the plenary powers in the present case was given in the same parts of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184) and to two molluscan serials. The proposals put forward by Mr. Melville, the author of the second application, were supported by Prof. Myra Keen, Dr. Harald Rehder and Mr. Joshua Baily, Jr.

Dr. Ride asked that the Opinion should state that *Vanikoro* Quoy & Gaimard 1832 is a latinized word, or treated as such, and available from Quoy & Gaimard, 1832. The wording of the present Ruling complies with his wish.

#### DECISION OF THE COMMISSION

On 28 February 1973 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (73)2 either for or against the proposals set out in *Bull. zool. Nomencl.* **27** : 245. At the close of the prescribed voting period on 28 May 1973 the state of the voting was as follows:

Affirmative votes—twenty-three (23), received in the following order: Holthuis, Eisenmann, Lemche, Binder, Mayr, Simpson, Corliss, Vokes, Habe, Alvarado, Rohdendorf, Melville, Willink, Dupuis, Starobogatov, Sabrosky, Tortonese, Heppell,\* Nye, Brinck, Bernardi, Bayer, Ride.

\*Commissioner Heppell was against proposal (4).

Negative votes—none (0).

Voting Papers not returned—three (3); Munroe, Erben, Kraus.

The following comments were made by Commissioners after they had received the Voting Paper:

*Dr. D. Ride* (in a letter to The Secretary and Members of Council 19.iv.73): "The question is whether the Commission has, within these powers [those specified in Article 79] the power to take a "vernacular", published prior to a name, and validate its use from the earlier date as though it were a name.

In the case of the generic name *Vanikoro*, I have examined Quoy and Gaimard *Astrolabe* **2** : 239, and have no doubt that their use of *Vanikoro* is not a "nomen-

clatural act" in the meaning of the Code (*Vanikoro* is a vernacular—not a name—therefore it is not a name to be *validated*. Rather it is a word which could require to be made *available* as a name. Similarly the proposal by Quoy & Gaimard to introduce it into vernacular use is not a *nomenclatural act*.

The name *Vanicoro* dates from Gray, 1842; there it seems to have been based upon the vernacular use by Quoy & Gaimard and was amended to *Vanikoro* by Adams & Adams, 1854.

If a majority of Councillors takes the view (as I do) that the Commission does not have the power to convert a vernacular (non-name) into an available name, we should ask the Secretary to withdraw the Voting Paper.

The same result (but with authorship attributed to Gray) can be achieved through re-presenting the case in the form of a request to the Commission to validate the unjustified emendation of *Vanicoro* Gray, 1842, to *Vanikoro* (i.e. to validate the nomenclatural act of Adams & Adams), and to suppress *Merria* and *Leucotis*".

Mr. Melville (in reply to Dr. Ride, 30.iv.73): "I agree that the request to "validate" the name, should have been worded to "make the name available". As Dr. Robertson points out it is "invalid" (i.e. unavailable) on two grounds, (i) that it was proposed in synonymy, and (ii) that it was proposed as a vernacular name. I differ from you however, as to the extent of the Commission's plenary powers. I think that they extend to the making available of a name that is defective in both the ways described provided that the name in question is not at the same time a *nomen nudum*. Thus, if *Vanikoro* in Quoy & Gaimard's work is furnished with enough descriptive or illustrative matter to rescue it from the third defect, then I hold that the Commission can, under its plenary powers, make it an available name as from those authors and that date.

If that view is accepted by the other members of the Council, then it seems to me that, if Dr. Robertson's proposals gain the necessary majority vote, it is only necessary, when writing the Opinion, to make the necessary changes of wording. Again, given Council approval I should not think it necessary to put this change to a vote of the Commission, since it would clearly be in accordance with the spirit and intention of the majority vote.

If that view is not accepted by the Council, then clearly the present Voting Paper must be withdrawn".

Prof. E. Tortonese (in returning his voting paper, 9. iv.73): "I do not object to the proposal as a whole, but wonder why *Vanikoro* is not considered masculine". [This was explained in a footnote *Bull. zool. Nomencl.* 19 : 335.]

Mr. D. Heppell (in returning his voting paper 30. iv.73): "I do not agree with section (4) of the proposals. Whether one accepts *Vanicoro* Gray as an incorrect subsequent spelling (Robertson, comment p. 244) or as an unjustified emendation (Proposal 1(d)), VANIKORIDAE must take priority from Gray, 1840. As VANICOROIDAE is an incorrect original spelling of the family-name (Proposal 6(a)), VANIKORIDAE Adams & Adams, 1854, is a justified emendation, taking the date and authorship of the original spelling Article 33(a)(i). Also cf. Article 32(c). Even under Article 40(b) VANIKORIDAE Adams & Adams would

take priority from 1846, the date of the rejected *NARICIDAE*".

*Prof. E. Mayr* (replying to Mr. Melville's (30. iv.73) letter to the Council 4.v.73): "I agree with your interpretation that the Commission has the authority to make the name *Vanikoro* available as of 1832. In view of the fact that the species on which the name was based was excellently illustrated (Plate 66 bis, Figures 20–22) I would think that there is no real problem. Any other action than that proposed by Dr. Robertson would lead to disturbance of stability.

I agree with you furthermore that the vote of the Commission be accepted but that the Opinion be written in order to meet the criticism raised by Dr. Ride".

*Dr. L. B. Holthuis* (9.v.73) "From the discussion on the name *Vanikoro*, it is clear that one of the crucial points here is whether or not *Vanikoro* is a vernacular name. The spelling of the name is such that we cannot prove that it is either one or the other. Only circumstantial evidence has been brought forward to support the view that it is a vernacular name.

"This evidence consists only of the fact that Quoy & Gaimard in the same paragraph in which they introduce the name *Vanikoro* speak of 'son genre Vélutine', using the French word for the generic name *Velutina* and furthermore that the name *Vanikoro* is not italicized by them. The first point (the use of *Vélutine*) is no proof that also *Vanikoro* is used in the vernacular, as latin and latinized names are used by Quoy and Gaimard in the rest of the text. Furthermore, authors at that time were not very strict in italicizing scientific names, and there is no provision in the present Code requiring zoologists to do so. The vernacular status of *Vanikoro* cannot be proven (neither can we prove the opposite). The situation would be entirely different if the authors had stated "les indigènes l'appellent *Vanikoro*" but they speak of "former un genre nouveau . . . sous le nom de *Vanikoro*"; and thus definitely intended the word *Vanikoro* to be the scientific name for a genus. As I see it, the Commission in this case certainly can rule that the name *Vanikoro* Quoy and Gaimard, 1832, must be considered a latinized word and that it therefore is an available name.

"I fully agree that the name *Vanikoro* cannot be *validated* by the Commission. In fact, the Commission cannot declare any name valid: as soon as the Commission indicates a name to be valid (i.e. the *oldest* available name for a taxon) it transgresses on the field of taxonomy. The only thing the Commission can do is to definitely state names to be available. It is up to taxonomists to decide which among available names in their views are valid".

*Dr. C. W. Sabrosky* (5.vi.73): "I agree that *Vanikoro* is a vernacular, at least the general weight of topographical usage in Quoy and Gaimard would so indicate—unitalicized *Natice* for *Natica*, *Pneumoderme* for *Pneumoderma*, etc., both in the vernacular heading of each description and in discussions of the text.

"In my opinion, under the plenary powers and Suspension of the Rules, the Commission can do virtually anything, nomenclaturally that is. It can declare an unavailable name available as of a certain date. I approve your proposed procedure".

# ORIGINAL REFERENCES

The following are the original references for names placed on Official Lists and Indexes by the Ruling given in the present Opinion:

- cancellatus*, *Sigaretus* Lamarck, 1822, *An. s. vert.* 6(2) : 208  
*Leucotis* Swainson, 1840, *Treat. Malacol.*: 346  
*Leucotis* G. B. Sowerby II, 1842, *Conch. Man.* (ed. 2): 172  
*Merria* Gray, 1839(?) in Beechey *Zool. Blossom*: 137  
MERRIIDAE Hedley, 1917, *J. Proc. R. Soc. N.S.W.* 51: Suppl., p. M62  
*Merrya* Récluz, 1846 ["1845"] *Mag. Zool.* (2) 7 (9): 7  
*Narica* Orbigny (ex Récluz MS) 1842(?) in *Sagra Cuba, Moll.* (French ed.) 2 : 39  
NARICIDAE Recluz, 1846 ["1845"] *Mag. Zool.* (2)7(9):6  
*Nioma* Gray, 1842 *Syn. Brit. Mus.* (ed. 44): 60  
*Niomia* Gray, 1842, *Syn. Brit. Mus.* (ed. 44): 90  
*Niona* Paetel, 1887 *Cat. Conch.* (ed. 4) 1 : 511  
*Vanicora* Paetel, 1887, *Cat. Conch.* (ed. 4) 1 : 511  
*Vanicoro* Gray, 1840, *Syn. Brit. Mus.* (ed. 42), [issue 2] : 152  
VANICOROIDAE Gray, 1840, *Syn. Brit. Mus.* (ed. 42) [issue 2]: 121  
*Vanikora* Whitfield, 1891, *Bull. Am. Mus. nat. Hist.* 3 : 387-388  
VANIKORIDAE H. & A. Adams, 1854 *Gen. Rec. Moll.* 1 : 374  
*Vanikoro* Quoy & Gaimard, 1832, *Voy. Astrolabe, Zool.* 2 : 239  
*Vanikoroa* Cossmann, 1924, *Essais Paléoconch. Comp.* 13 : 163  
*Vanikoroia* Martin, 1914, *Samml. Geol. Reichs-Mus. Leiden* (n.f.) 2(4):170

# CERTIFICATE

I certify that the votes cast on Voting Paper (73)2 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 1009.

R. V. MELVILLE  
 Secretary

International Commission on Zoological Nomenclature

London

3 October 1973